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GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Revenue (Commercial Taxes) Department – Caseregistered under Prevention of Corruption Act, 1988 against Sri Seetalam Sekhar, Deputy Commissioner Division-II, Commercial Tax Department,Vijayawada, presently working as Addl. Commissioner, Regional GST &Enforcement Office, Visakhapatnam for allegation of possession of Disproportionate Assets to the known sources of his legal income – Furtheraction dropped – Orders – Issued.

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REVENUE (VIG.VI) DEPARTMENT

G.O.Rt.No.1141 **date:11.12.2023**

Read the following:

1. Radio Message from the Inspector of Police, CIU, ACB, AP, Hyderabad, Dt.17.06.2016.
2. From the DG, ACB, Hyd., Rc.No.84/RCA- CIU/2016, dt:22.07.2016
3. From the DG, ACB, Vijayawada, Rc.No.84/RCA- CIU/2016, dt:29.09.2021
4. G.O.Ms.No.301, Revenue (Vig.II) Department, dt:28.10.2021
5. From the DG, ACB, Vijayawada, Rc.No.84/RCA- CIU/2016, dt:10.11.2022
6. Representation received from Sri SeethalamSekhar, Dy Commissioner , Division-II, Commercial Taxes, Vijayawada, presently Addl. Commissioner, Regional GST and Enforcement Office, Visakhapatnam, Dt: 24.12.2022
7. Govt., Memo.No. REV-17023/50/2016-VIG II, dt:03.04.2023
8. From the DG, ACB, Vijayawada Rc.No.84/RCA- CIU/2016, dt:16.08.2023

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In the reference 1st read above, the Director General (DG), Anti-Corruption Bureau (ACB), Hyderabad has stated that on information, Sri Seetalam Sekhar, Deputy Commissioner of Division-II in the CommercialTaxes Department, Vijayawada, possess assets disproportionate to hisknown sources of income. Consequently, a criminal case under Crime No.09/RCA-ACB-CIU/2016, Section 13(2) r/w 13(1)(e) of the Prevention ofCorruption Act, 1988, was registered on June 15, 2016, at 8:00 AM by theCrime Investigation Unit (CIU) of ACB, Andhra Pradesh. Simultaneously, searches were conducted at the Accused Officer residence and nine otherlocations linked to his relatives, based on search warrants issued by theHon'ble Court of Special Judge for Special Police Establishment (SPE) &ACB cases, Vijayawada, and under the provisions of Section 165 of theCriminal Procedure Code (Cr.P.C.). The records related to the income,expenditure, and assets of the accused officer and his dependent familymembers were seized during these searches.

2. Whereas, in the reference 2nd read above, the DG, ACB, furnished a preliminary report to the Government wherein he has stated that there isa prima facie case against Sri Seetalam Sekhar, Dy. Commissioner, Commercial Taxes, Division II, Vijayawada, for acquisition and possessionof Disproportionate Assets through corrupt and dubious means, punishableunder Section 13(2) r/w 13(1)(e) of the Prevention of Corruption Act, 1988,during his service. The DG, ACB has requested the Government to transfer the Accused Officer to a far of place to non-focal point to avoid hisinterference with the investigation and to ensure a smooth and speedy investigation.

3. Whereas, in the reference 3rd read above, the Director General, Anti-Corruption Bureau, Andhra Pradesh, Vijayawada, has requested for fresh authorization to file applications in the Hon'ble Court of Special Judge for SPE & ACB Cases, Vijayawada for attaching properties of Sri Seetalam Sekhar, Deputy Commissioner, Division-II, Commercial Tax Department till disposal of the case beyond 13-3-2019.

4. In the reference 4th read above, the Government authorized the investigating officer to file applications in the Court of Special Judge forAnti-Corruption Bureau Cases, Vijayawada, for attaching properties worthRs.2,60,36,062, as detailed in

(P.T.O)

Annexure-I to IV as mentioned in thereference 3rd read above, under section 3 of the Criminal Law AmendmentOrdinance, 1944.

5. Whereas, in the reference 5th read above, the DG,ACB has submitted his final report, dt: 10.11.2022, and reported that as of 16th June, 2016, the A.O possessed Disproportionate Assets to the known sources of income to the tune of Rs. 68,39,400/- which is more than 47.37% of the total income of the Accused Officer i.e. Rs. 1,44,35,788/-. The DG, ACB has recommended for prosecution in court of law and requested the Government to issue sanction order for prosecution of the AO as required under section 19 (1) (b)of the Prevention of Corruption Act,1988.

6. Whereas in the reference 6th read above, the A.O has submitted a comprehensive representation with supporting documentary evidences and stated that the ACB had overlooked or not considered some important sources of income while making their determination of Disproportionate Assets. Further stated that that there are no disproportionate assets as alleged against him and requested the Government to drop further action on due consideration of all the facts and figures mentioned in hisrepresentation.

7. Whereas, in the reference 7th read above, the representation of the A.O was forwarded to the DG., ACB., A.P., Vijayawada seeking his remarks on the contentions put forth by the A.O in his representation to the Government for taking further necessary action in the matter.

8. In the reference 8th read above, the DG, ACB, A.P., Vijayawada furnished his remarks on the A.O's contentions to the Government. The remarks of the ACB have been examined discreetly by the Government in light of the evidence submitted by the Accused Officer,considering the facts and material evidence available, and duly followingthe existing rules in force. After a detailed examination, it has been foundthat there are no disproportionate assets to his known sources of income.

9. Government after careful examination of the matter have decided to drop further action against Sri Seetalam Sekhar, DC, Division-II, CT Department, Vijayawada, presently working as Addl. Commissioner, Regional GST & Enforcement Office, Visakhapatnam in Disproportionate Assets case (ie., the Criminal Case) filed against Accused Officer in crime No. 09/RCA-CIU/2016 U/s r/w 13(1)(e) of P.C. Act-1988, registered by ACB, duly releasing the attached properties.

10. Accordingly, Government, hereby drop further action against Sri Seetalam Sekhar, DC, Division-II, CT Department, Vijayawada, presentlyAddl. Commissioner, Regional GST and Enforcement Office, Visakhapatnam in Disproportionate Assets case (i.e., the Criminal Case) fled against A.O in crime No. 09/RCA-CIU/2016 U/s r/w 13(1)(e) of P.C.Act-1988, registered by ACB, duly releasing the attached properties, without prejudice to the Departmental proceedings against him.

11. The DG, ACB, A.P., Vijayawada, is hereby requested to release all properties (movable, immovable, Jewellery, electronic gadgets and bankdeposits etc.,) that were attached in the case of Sri Seetalam Sekhar,DC, Division II, CT Department, Vijayawada, presently working as Addl.Commissioner, Regional GST & Enforcement Office, Visakhapatnam, in theDisproportionate Assets Case.

12. The Chief Commissioner of State Tax, A.P., Kunchanapalli, Guntur isalso requested to take necessary action in the matter accordingly.

N GULZAR
SECRETARY TO GOVERNMENT

To
The Director General, Anti-Corruption Bureau, A.P, Vijayawada.
The Chief Commissioner(State Tax) Andhra Pradesh, Kunchanapalli, Guntur District.
The individual through the The Chief Commissioner(State Tax) Andhra Pradesh, Kunchanapalli, Guntur District.
Copy to:
The Secretary to A.P. Vigilance Commission, Velagapudi.
SF/SC.

//FORWARDED::BY::ORDER//

SECTION OFFICER